

**WASHINGTON BOARD FOR  
ARCHITECTS**

**Meeting Minutes  
SPECIAL BOARD MEETING**

**DATE:** March 3, 2006

**TIME:** 9:30 a.m.

**LOCATION:** Red Lion Hotel on the River- Jantzen Beach  
White Stag Room  
Portland, OR

**MEMBERS**

<b>PRESENT:</b>	Charles Farrell	Jerry Lee
	Benson Nielsen	Henry Hardnett
	J.J. McCament	Pedro A. de Magalhaes Castro
	Blaine Weber	

**STAFF**

**PRESENT:** Joe Vincent, Jr., Administrator  
Elizabeth Stancil, Secretary Administrative

**OPEN SESSION**

**1. Call to Order 9:30**

**1.1. Introduction of visitors**

No visitors were present

**1.2. Order of Agenda**

Mr. Nielsen asked that the handouts (agenda item 7.2) be moved to the Review of Communications agenda item 1.4.

Mr. Vincent informed the Board that we will have our joint luncheon with the Oregon Board members at 12:30 instead of 12:00 pm.

Mr. Hardnett will give a report on his trip to the IDP Conference in Washington D.C.

The agenda was approved through acclimation.

**1.3. Review of Action Items and Approval of Minutes, January 27, 2006 Meeting**

**MOTION:** It was moved and seconded to approve the minutes with amendments.

#### **1.4. Review of Communications**

Mr. Vincent provided the Board with a letter that was sent my Mr. Will Thomas. Mr. Vincent explained the concerns of Mr. Thomas to the board and informed all that he was not approved for licensure. The Board reviewed Mr. Thomas' letter and it was determined that he may be eligible for credit if he is on an alternate path for licensure. Mr. Hardnett added that he could not find anything pertaining to Mr. Thomas' competency in his letter.

The Board reviewed a letter from John Simpson. When reviewing the building designer document it was noted that there was some incorrect information given at the bottom of page two.

Mr. Weber read the email from Paul Franks and asked that a formal letter be sent to this contractor advising him not to use the stamp or seal and inform him of the penalties involved when doing so. Mr. Vincent responded in saying that we don't know that he was actually using the stamp. We have to prove that using the stamp was an attempt to present himself as the architect or misrepresenting before making an accusation.

Mr. Nielsen informed the Board that we cannot send a letter but we can open an investigation. He suggested that we do this to find out what really took place with the Paul Franks situation.

Mr. Weber spoke about people from AIA being frustrated with bringing a complaint forward and then having to do a lot to prove it. He suggested that we do more as a board to meet their requests.

Mr. Vincent informed that board that board staff is going to make more of an effort to manage the board workload and follow up with board members that are assigned to investigation cases. He also reported that additional staff is being hired which will help with this effort. Board Staff is going to develop procedures for how we are capturing the information regarding complaints and follow up. We need to show, in the newsletter, formal and informal actions in the investigation. The new Management Analyst will establish a procedure for capturing data and logging the process of an investigation. The Program Manager position will be filled which will provide additional help to Board Staff.

## **2. Hearings/Rule Adoptions/BAP Appeals/Public Presentations**

### **2.1. Joint Luncheon with Oregon Board Members 12:30 pm – 2:30 pm**

**Some agenda items may include, but are not limited to:**

- **Five-Year Rolling Clock**

The Oregon Board adopted the Five-Year Rolling Clock as of January 1<sup>st</sup>. They have had some phone calls from Washington asking about Oregon's rolling clock thinking that it would benefit them over Washington.

- **Renewal Process (CPE)**

- **Compliance Process/Issues**

- **Construction Administration**

Mr. Farrell reported that mandatory construction administration has been looked into to see how they deal with this portion of the architectural process.

Mr. Vincent asked about how much support the Oregon Board gets from the local building officials? Carol Halford of the Oregon Board answered that they hear from them more since they put out their recent publication to building official and they have for the most part been on their side. They send a notice out saying that they could be in violation and it's up to the building officials to determine how long they will go before getting a licensed architect or engineer in place.

Mr. Vincent added that unlicensed practice is for the boards to decide.

Ms. Halford added that Architects in Oregon find the rule helpful because they can take it to the client and say that they have to do this.

The Washington Board has them notifying the local building officials as well as the board and client.

- **Building Designers/Engineers – relationship/history**

The Chair of the Oregon Board reported that they have formed a joint task force with the Engineers. As a result of this, they received a lot of complaints from the building designers. There is a process for referring these projects to the Engineers. Their law reads that they have to have the contracts directed with the Architect and the owner and not bring on an Engineer to stamp the design. The Oregon Board is trying to get the Engineers to create the same law. They are going to take a look at Engineers that are working outside of their competency and stamping architectural drawings when they are not qualified for to do so. This will be the case even if they do supervise from beginning to end. The building designer/engineer is a national issue right now.

Mr. Nielsen stated that we do not have CE in a law right now and we intend to put it in. Oregon has it in law and rule. Are they submitting their material and is the audit process working?

Ms. Halford reported that it is working well. The numbers have gone up and keep climbing. The process is sending out a renewal with blank lines and the applicant fills out the hours in HSW and CPE. Worse case scenario is that people have trouble with the paperwork. They will accept AIA transcripts.

Mr. Vincent asked, if they have a complaint file against them will it trigger an evaluation? Ms. Halford stated that they have set up guidelines for someone that is late with CE. They do have special consideration if someone is ill, etc., and there are special processes.

- **National Issues (NCARB/WCARB) – Peter Rasmussen, NCARB Secretary**
- Peter reported on the NCARB strategic plan and mention resolutions. This is a primer for the WCARB meeting. Direct Connections has an outline of the strategic plan. It is a process that the council worked on for the last year and a half. At the meeting in January the board said they needed to step up on implementation. Each member was assigned an area in the matrix and was paired with a sr. staff member from the NCARB D.C. Office. They are now trying to figure out the process that they will go through to follow through. The resolutions, he cautioned us because they have not been to the board for formal action. This is to make us aware of what is company. Resolutions are important to bylaws and making sure
- Security of ARE goes beyond questions and answers of exam and development, they've added language in the resolution for protection for the committee members that write the questions for the ARE. People are starting to pay attention that there are consequences and potential for fines.
- Clarification of qualifications of region directors. To become a candidate, they must be nominated by the region. Once they are nominated, they are voted on by the national group.
- Clarification of resident architect contract. Model regulation
- Governance committee brought forth proposals
  - Reduce the term of office for secretaries and treasurers from 2 to 1 years. This will help to get people running against each other.
  - The bylaw amendment is causing elimination of the Finance and Management Committee and transferring it's duties to the Executive Committee.
  - Elimination of the requirement that each committee has representatives on the examinations has made it hard for the president elect to find people from each region.
  - Model law amendment conforming change to registration guideline 4. Model law for blanket reciprocity.
  - An agreement between Canada, Mexico and the U.S. was kicked off at the last meeting. The sets up an agreement to recognize Architects from all three areas. Mr. Vincent stated that there is a draft available on the NCARB website.
  - WCARB is discussing a different fee schedule.
  - ARE timing issues - the board developed a policy that recognizes that the ARE is the most defensible component of IDP, education, and training. It should be the last component before licensure because it is defensible. Education and practice is more integrated today than ever before. 250 IDP hours before you start, three parts of the ARE left at the end. NCARB strongly believes that timing should not be the bases for refusing people. This will be introduced at the annual meeting to be NCARB policy and at the same time or next year put into model law. Refer to FAST FACTS Handout. If interns have had the exposure to

practice, this policy recognizes that they should be able to begin the exam. They do have to finish IDP to become licensed.

Mr. Hardnett shared that getting candidates involved in the IDP early was discussed at the NCARB Conference that he attended in February.

Question asked were, "How many states will adopt the policy and if it would be the licensing agencies responsibility to get people into the IDP Office."

Mr. Rasmussen answered, "they are hoping that everyone will recognize differences not necessarily adopt it and that it makes sense to give a hand to the people that you will be regulating".

Mr. Weber stated that if you encourage young people to do this, it could help to prevent a crisis down the road by looking out for the health, safety and welfare. There is a need for qualified people in this field.

Mr. Hardnett added that he's found that professors of schools are not professionals and are not encouraging the students into IDP. We need to get information out to them about becoming a licensed professional.

- **Legislative Issues**

**ACTION:** Mr. Vincent will forward the Sunrise Review Process to the Oregon Board members.

At the end of the joint meeting Mr. Farrell presented Peter Rasmussen with a plaque in honor of his time with the Washington Board.

### **CLOSED / EXECUTIVE SESSION**

#### **3. Complaints / Investigations**

No Business

#### **4. Legal Issues and / or Deliberation**

No Business

### **OPEN SESSION**

#### **5. Disciplinary & Investigation Items**

##### **5.1. Action on proposed Board Orders/Stipulations**

No progress on items

##### **5.2. Action on complaints/investigations**

Mr. Weber expressed to Mr. Vincent that he appreciates the reminders and follow ups that are provided regarding his investigations and complaints.

**ACTION:** Ms. Stancil will correct and continue to update the number of days open on the Complaint & Disciplinary Report.

### **5.3. Staff report on hearings schedule**

No Business

## **6. Assistant Attorney General's Report**

No Business

## **7. Committee Reports**

### **7.1. Procedures and Policy Committee Report**

No Business

### **7.2. Legislative Committee Report**

Mr. Nielsen provided a handout to the Board that recapped the Model Rules and reminded us of our assignment to review numbers 2 & 3. He also informed us that there is nothing to report from legislature. The AIA has not dropped a bill into legislature and we still do not have a code reviser bill to look at.

Mr. Nielsen stated that we need to take "supervision" out of rule and let it stand in law.

Now there will be a new law including a definition on construction administration.

Mr. Weber spoke about mandatory construction administration NCARB law says that if the owner removes the architect then he is out of compliance.

**ACTION:** Board staff will check the internet to see if it is possible to find an applicant from the Prof License Query. If it is not, Board staff will correct this or we need to take "applicant" out of rule – review the second page of 7.2 c

### **7.3. Documents Committee Report**

No Business

### **7.4. Investigations and Enforcement Committee Report**

Mr. Weber reported that he is working on completing a more user-friendly complaint form. Also, he would like to focus on investigations timeline and follow up, Mr. Weber would like to work with Mr. Vincent to develop specific goals in regards to timeline, follow up with a letter of thanks, etc.

Mr. Vincent stated that publishing violations in the newsletter will be revisited. We will put names into the newsletter when we come to a formal action. When

we close without further action it will be summarized without using identifying information because they have not been prosecuted. If it's an agreed order it is a settlement and we will publish it in the newsletter with the person's name.

**ACTION:** Mr. Vincent and Mr. Weber will work together to create an investigation timeline to keep on track. This will include the board staff's new procedures.

#### **7.5. Budget Committee Report**

No Business

#### **7.6. Publications Committee Report**

No Business

**ACTION:** Ms. Stancil will make sure that Ms. McCament is added to the newsletter mailing list and update her contact information

#### **7.7. Board Liaison Activities**

Mr. Hardnett reported on the IDP Conference he attended that took place in Washington D.C. in February. He informed the Board that people in other states were discussing what they are doing to get interns involved at the college level. Another topic of discussion was the possibility of taking the ARE early. Texas is one state that allows applicants to take the exam early and they are concerned about what will happen when applying for reciprocity. Another question was: How many portions of the exam can you take if you take the exam early?

Mr. Nielsen told Mr. Hardnett that we may have to revisit this at the Tucson WCARB Meeting.

Mr. Vincent provided the Board with the WAC regarding Registration by Reciprocity for reviewing purposes.

### **8. Board Executive's Report**

#### **8.1. Board Operations**

Assistant Director Andrea Archer took a new position with Employment Security. Mr. Vincent shared that she really opened up doors and challenged employees of the department to push for improvements that needed to be made.

Jana Jones has been assigned to the position of Action Assistant Director while the position is being filled. She is an attorney and has a strong legislative background. The board members will be informed when the new Assistant Director is selected.

Liz Luce, Director of Licensing, may be attending some of our meetings. She wants to let us know that she recognizes our work and knows the importance of it.

**MOTION:** Mr. Nielsen moved that we come to a board action and include an article in the newsletter to thank Ms. Archer. Mr. Farrell seconded.

**Motion Passed**

A New Management Analyst, Brett Lorentson, started on February 13<sup>th</sup>. He brings with him excellent qualifications and will be working on some large project for Mr. Vincent regarding financial issues and tracking.

**8.2. Administrative Matters/Legislation**

No Business

**8.3. Business and Professions Division**

No Business

**8.4. Department of Licensing**

There is a URBP clean up bill that seems to be moving along in legislation. This bill does not directly affect the board but Mr. Vincent shared it so that the board is aware.

**8.5. Financial Report**

A financial report was provided in the board meeting packets to show the Architect fund balance and expenditures.

Mr. Vincent informed the Board that we are running a positive variance that may disappear after we make an office co-location. We have five sections that need to be moved to be closer to each other.

A Professions Status Report was provided on both Architects and Architect Corporations.

**8.6. Board / Staff Travel**

**8.6.1. Pending requests**

No requests pending

**8.7. Other items**

Reports were provided in the board meeting packets.  
Transactions Report – shows processing workload  
Architects Registered by Exam  
Architects Registered by Reciprocity

Mr. Hardnett made the comment that he is still seeing that a lot of people made it in before the IDP requirement.

**9. Old Business**



### **9.1. Degree Requirement**

Tabled until the next board meeting.

### **9.2. Funding IDP Enrollment**

Tabled until the next board meeting.

### **9.3. Disciplinary Workshop**

Tabled until the next board meeting.

### **9.4. Guidelines Booklet Revisions**

Tabled until the next board meeting.

### **9.5. WCARB Spring Meeting Planning**

Board staff did get approval for five people to attend the WCARB Meeting, March 16-18, 2006. Board members attending are Mr. Farrell, Mr. Weber, Mr. Nielsen, and Mr. Hardnett. Mr. Vincent, Administrator, will also be attending.

The Board agreed to support the Fast Facts document that was provided by NCARB.

Mr. Nielsen asked that members attending the WCARB Regional Meeting be prepared to meet and talk about electing someone at the regional level, should the talk of elections come up. Mr. Nielsen expressed to the Board that he would be interested if there is an opening.

## **10. New Business**

No Business

## **11. Other Business**

### **11.1. Action items from this meeting**

The Board reviewed the action items from this meeting.

### **11.2. Agenda items for next meeting**

Action needed on multi family residential/exemptions.  
Change the rules for Principal in a company  
Mandatory Degree  
Mandatory CA  
Mandatory construction

**ACTION:** Board staff will move the big agenda items to the top of the agenda per a request by Board members.

Mr. Weber asked about the possibility of moving the mandatory degree and mandatory construction discussions out of the agenda.

Mr. Hardnett informed the board that he will table his view on supporting the mandatory degree for now so that it may be removed from the agenda.

### **11.3. Any other business**

Mr. Hardnett informed the Board that he found a stamp that has no name or number and will need to file a complaint against that individual.

At the NCARB National Meeting in June the Board members would like to bring up the possibility of applicants taking a portion of the ARE exam early and then doing the IDP. They can finish the ARE after the IDP is complete.

Mr. Vincent asked the Board Members to keep the NCARB National Meeting in mind and be thinking about who would like to attend. Board staff will need to get the request for out of state travel submitted as soon as possible. Board members interested in attending the NCARB National Meeting are: Mr. Hardnett, Mr. Nielsen, Mr. Farrell, Ms. McCament, Mr. Lee (tentative), Pedro Castro (tentative)

**ACTION:** Ms. Stancil will update the 2006 calendar and forward to the board members.

**ACTION:** Mr. Vincent will forward Ms. Lantz's definition of "Principal" to all board members.

**ACTION:** An article will be added to the newsletter regarding the definition of Principal. This will inform Architects and Architect Corporations of the current rule and ask them to send comments or concerns

**ACTION:** Mr. Farrell asked that all board members review WAC 308.12.150 #5 regarding the definition of Principal and bring concerns or suggestions to the next meeting.

**ACTION:** Policies and Procedures committee will review WAC 308.12.150 #5 and bring forth a recommendation at the next board meeting.

**ACTION:** Board staff will maintain the master action item list and send reminders for ongoing or incomplete tasks.

## **12. Adjournment**

Mr. Farrell adjourned the meeting at 3:02 pm.